

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

TERENCE MOSES,

Plaintiff,

vs.

PHOENIX CREDIT, LLC,

Defendant.

Case No. 09-CV-724-GKF-FHM

**OPINION AND ORDER**

Plaintiff's Amended Motion to File Surreply [Dkt. 32] is GRANTED.

Plaintiff is permitted to file a Surreply not to exceed 5 pages for the sole purpose of addressing the authorities cited in Defendant's reply brief, [Dkt. 28]: *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 3841 (1990) and *Smith v. Phillips*, 881 F.2d 902 (10th Cir. 1989).

The surreply brief is due on or before the 1st day of June, 2010.

SO ORDERED this 11th day of May, 2010.

  
FRANK H. McCARTHY  
UNITED STATES MAGISTRATE JUDGE